IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 19542 of 2004

Between:

Smt.B.Madhavi Reddy W/o.B.Jagadish Reddy
R/o.Flat No.502, Keerthi Sikhara Apartments, Street No.18, Himayathnagar
Hyderabad.

..... PETITIONER

AND

1. Kendriya Vidyalaya Sanghatan rep. by its Joint Commissioner

(Admn.) and Appellate Authority, 18, Institutional Area, Shaheed

Jeet Singh Marg.New Delhi 110016
2. Assistant Commissioner Kendriya Vidyalaya Sangathan
   Regional Office, Chennai Region III Campus, Chennai.
3. The Principal, Kendriya Vidyalaya, Puranattukara P.O.
   Thrissur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Certiorari or any other appropriate writ, order or direction, calling for the records relating to the order in proceedings No. F9-Estt/MR/2003-04/KVS (CHER) 24005 dt.13.10.2003, issued by the 2nd respondent as well as the order in Proc.No.F.9-07/2004 KVS (Vig) dt.21.6.2004 issued by the 1st respondent and to quash the same as being illegal, arbitrary, violative of Principles of natural justice and also articles of Kendriya Vidyalaya Sanghatan and consequently suspend both the said orders and to pass such further or other orders as the Hon’ble Court deems fit and proper.

Counsel for the Petitioner: MR.K.RAGHUVEER REDDY
Counsel for the Respondents: MR.B.N.SARMA

The Court made the following :

ORAL ORDER

The petitioner worked in the first respondent-Kendriya Vidyalaya Sanghatan, which is an autonomous body, which comes within the purview of Central Administrative Tribunal regarding the disputes between the management and the employees. The petitioner worked as a Teacher in the first respondent- Kendriya Vidyalaya Sanghatan. The first respondent passed the impugned order on 21-06-2004 terminating the services of the petitioner for an unauthorized absence. The petitioner instead of approaching the Central Administrative Tribunal, approached this Court through this writ petition. Since the matter comes within the purview of the Central Administrative Tribunal, the writ petition under Article 226 of Constitution of India cannot be maintained before this Court.

The writ petition is accordingly dismissed. The petitioner is at liberty to approach the Central Administrative Tribunal for appropriate remedy. The time taken for filing this writ petition shall be excluded for the purpose of limitation.

_____ Dr.G.YETHIRAJULU, J.

Dated: 26th October, 2004.

*TSNR

To

1. The Joint Commissioner(Admn.), Kendriya Vidyalaya Sanghatan,18,

Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.

2. The Assistant Commissifoner, Kendriya Vidyalaya Sanghatan,Regional Office, Chennai Region, IIT Campus, Chennai.

3. The Principal, Kendriya Vidyalaya Sanghatan,Puranattukara P.O.Thrissur-680551.

4. Two C.D.Copies